

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

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|---------------------------------|---|---------------------|
| In the Matter of the Revocation |) | |
| |) | |
| or Suspension of the Educator |) | CONSENT ORDER OF |
| |) | |
| Certificate of Karen L. Duncan |) | VOLUNTARY SURRENDER |
| |) | |
| Certificate # 211481 |) | |

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on April 13, 2004. On September 30, 2003, the South Carolina Department of Education (Department) sent Ms. Karen L. Duncan a notice of hearing before the State Board concerning the possible suspension or revocation of her certificate by certified mail, return receipt, and restricted delivery. Ms. Duncan received the notice as evidenced by a postal receipt bearing her signature. Through her attorney, Rutherford Smith, Esquire, Ms. Duncan initially requested a hearing, but subsequently agreed to the voluntary and permanent surrender of her certificate, in lieu of a hearing where the Department would seek the permanent revocation of her certificate. This surrender will be reported to the NASDTEC Clearinghouse and all South Carolina school districts. After considering the evidence presented, the State Board voted to accept the voluntary and permanent surrender of Ms. Duncan's certificate.

Karen L.
Duncan
#211481

Initials

Date

Ms. Duncan holds an expired critical need certificate and has less than a year of teaching experience. She was under contract with the Berkeley County School District (District) as an Emotionally Disabled teacher at Timberland High School for the 2002-2003 school year. On December 18, 2002, Ms. Duncan resigned from the District citing health and family strain as reasons for the resignation. Following her resignation the District received allegations from a sixteen-year old male student that Ms. Duncan engaged in a sexual relationship with him in November and December 2002. The District investigated the matter and notified law enforcement of the allegations. Ms. Duncan has not been charged with a crime, and denies any wrongdoing, but does not wish to return to teaching.

CONCLUSIONS OF LAW

“The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person.” S.C. Code Ann. § 59-25-150 (1990). Just cause includes “Unprofessional conduct ...Immorality...and...Evident unfitness for the position for which employed.” S.C. Code Ann. § 59-25-160 (1990). The State Board finds that the preponderance of the evidence presented supports its decision to accept the voluntary and permanent surrender of Ms. Duncan’s certificate # 211481, effective April 13, 2004.

South Carolina State Board of Education

By: /S/ Mary Jones

Dr. Mary Jones

Chair

Columbia, South Carolina

April 13, 2004

I, Karen L. Duncan, SC Teaching Certificate # 211481, do hereby agree to the proposed Consent Order of Voluntary Surrender, consisting of two pages, and understand that this Order will be presented as signed to the State Board of Education on Tuesday, April 13, 2004, for approval.

/S/ Karen Duncan
Karen L. Duncan

3/23/04
Date